

In the claims:

Please withdraw claims 60-62. All of the claims are set forth herein with the current status of each noted and the currently amended claims showing the changes made therein.

1. (Cancelled)

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Cancelled)

7. (Cancelled)

8. (Cancelled)

9. (Cancelled)

10. (Cancelled)

11. (Cancelled)

12. (Cancelled)

13. (previously presented) A container for perishable goods comprising:

an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front wall and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back wall and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length; and

(f) a top formed from said first and second side flaps and said front and back flaps wherein said first and second flaps are folded and adjacent each other;

wherein the height of said first and second sidewalls and said front and back walls is adjustable.

14. (previously presented) The container of claim 13, wherein said flexible insulating material is bubble pack material.

15. (previously presented) The container of claim 13, wherein said flexible insulating material is microfoam.

16. (previously presented) The container of claim 14, wherein said metalized surface is located on the inside of the inner container.

17. (previously presented) The container of claim 13, wherein said front and back walls each have a gusseted reinforcement.

18. (previously presented) The container of claim 13, further comprising:
a selectively releasable means for securing a portion of said first side flap to a portion of said second side flap.

19. (previously presented) The container of claim 13, wherein at least one of said flaps forming said top has a means for sealing said top.

20. (previously presented) The container of claim 13, wherein said front flap is connected to the edges of both said first and second side flaps.

21. (Cancelled)

22. (previously presented) The container of claim 13, wherein said top is formed with said first and second side flaps partially in contact with each other.

23. (previously presented) The container of claim 13, wherein said top is formed with said front and back flaps folded.

24. (previously presented) The container of claim 22, wherein said folded front and back flaps of said top forming said top are gusseted.

25. (previously presented) The container of claim 13, wherein said bottom is substantially flat.

26. (previously presented) The container of claim 13, wherein said first and second side flaps and said front and back flaps are substantially the same height.

27. (Cancelled)

28. (previously presented) The container of claim 13, wherein said first and second side flaps are substantially the same height.

29. (previously presented) The container of claim 13, wherein said first and second side flaps and said front and back flaps are substantially the same height.

30. (previously presented) The container of claim 13, wherein said first and second flaps are connected to said front and back flaps.

31. (Once Amended) The container of claim 13, wherein said bottom is substantially flat, and is comprised of a single layer of flexible material.

32. (previously presented) The container of claim 13, wherein said first and second sidewalls are movable from a first open position substantially perpendicular to said bottom to a second folded position substantially parallel to said bottom of said inner container assembly.

33. (previously presented) The container of claim 13, wherein said first and second sidewalls in said second position have a length and width that is no greater than said bottom.

34. (previously presented) A container for perishable goods comprising:
an outer container;
an inner container removably inserted in said outer container comprising:
(a) a bottom, a first and second collapsible opposing sidewalls extending from said bottom, each constructed of a flexible insulating material having one metalized outer surface, said first and second sidewalls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having first and second side edges and a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having first and second side edges and a top edge that is substantially straight along its entire length;

(d) a top formed from said first and second side flaps wherein said first and second side flaps are folded and adjacent each other; and

wherein said height of said first and second sidewalls and said first and second flaps is selectively adjustable and said first and second sidewalls are movable from a first open position substantially perpendicular to said bottom to a second folded position substantially parallel to said bottom of said inner container assembly.

35. (previously presented) The container of claim 34, wherein said first and second flaps are substantially the same height.

36. (previously presented) The container of claim 34, wherein said first and second sidewalls in said second position have a length and width that is no greater than said bottom.

37. (previously presented) A container for perishable goods comprising:

an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of first and second layers of flexible insulating material, having one metalized outer surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall, said first side flap further comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall, said second side flap further comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps, said front flap further comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length;

(f) a top formed from said first and second side flaps and said front and back flaps wherein said first and second side flaps are folded and adjacent each other; and

wherein said height of said first and second sidewalls, said front and back ends, said side flaps and said front and back flaps is selectively adjustable.

38. (previously presented) The container of claim 37, wherein said first and second layers of insulating material are comprised of different materials.

39. (previously presented) The container of claim 37, wherein said bottom is substantially flat.

40. (previously presented) The container of claim 37, wherein said first and second sidewalls are movable from a first position substantially perpendicular to said bottom to a second folded position substantially parallel to said bottom of said inner container assembly.

41. (previously presented) The container of claim 37, wherein the height of said first and second sidewalls, said front and back walls and said first, second, front and back flaps are selectively adjustable.

42. (previously presented) A container for perishable goods comprising:

- an outer container;
- an inner container removably inserted in said outer container comprising:
 - (a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;
 - (b) an integral first foldable side flap extending above said first sidewall and having opposing edges;
 - (c) an integral foldable second side flap extending above said second sidewall and having opposing edges;
 - (d) an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps;
 - (e) an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps;

wherein the height of first and second sidewalls, said front and back walls and said first, second, front and back flaps is selectively adjustable between a first position that is greater than or substantially the same height as said outer container to a second position that is less than the height of said outer container; and

a top formed from said first and second side flaps and said front and back flaps wherein said first and second side flaps are folded and adjacent each other.

43. (previously presented) A container for perishable goods comprising:

- an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom and a collapsible sidewall extending upwardly from the entire periphery of said bottom and having a top edge, said bottom and said sidewall each constructed of a flexible insulating material having an outer metalized surface, said sidewall forming an integral moisture proof seal with and along said entire periphery of said bottom.

(b) an integral first foldable side flap extending above said entire top edge of sidewall, said flap further having a substantially continuous height along its entire length; and

(c) a top formed from said flap that completely closes said inner container;

wherein the height of said sidewall and said flap is selectively adjustable.

44. (previously presented) The container of claim 43, wherein said flap is movable from an open position wherein said flap extends above said outer container to a second position wherein it completely closes said inner container and is contained entirely within said outer container.

45. (previously presented) The container of claim 43, wherein said height of said sidewall and said flap are selectively adjustable.

46. (previously presented) The container of Claim 13 wherein said metalized surface extends throughout all of said bottom, said first and second sidewalls and said front and back walls.

47. (previously presented) The container of Claim 13 wherein each of said bottom, said first and second sidewalls and said front and back walls has a metalized outer surface.

48. (previously presented) The container of Claim 13 wherein a portion of said inner container is in direct contact with said outer container when it is inserted in said outer container.

49. (previously presented) The container of Claim 13 wherein a portion of said metalized surface is in direct contact with said outer container when it is inserted in said outer container.

50. (previously presented) The container of claim 13 wherein said metalized surface is not located in air tight pouch within said first and second sidewalls or said front and back walls.

51. (previously presented) A container for perishable goods comprising:
an outer container;
an inner container removably inserted in said outer container comprising:
(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front wall and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back wall and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length; and

(f) a selectively reclosable top formed from said first and second side flaps and said front and back flaps wherein said first and second flaps are folded and adjacent each other.

52. (Once Amended) A container for perishable goods comprising:

an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length; and

(f) a top formed from said first and second side flaps and said front and back flaps wherein said first and second flaps are folded and adjacent each other and said front and back flaps do not overlap each other;

wherein said inner container is not adhered to said outer container when it is inserted therein.

53. (previously presented) A container for perishable goods comprising:

an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length; and

(f) a top formed from said first and second side flaps and said front and back flaps wherein said first and second flaps are folded and adjacent each other.

54. (previously presented) A container for perishable goods comprising:

an outer container;

an inner container removably inserted in said outer container comprising:

(a) a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other;

(b) an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(c) an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length;

(d) an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length;

(e) an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length; and

(f) a top formed from said first and second side flaps and said front and back flaps wherein said first and second flaps are folded and adjacent each other;

wherein said top is movable from a first open position to a second closed position and thereafter back to said first open position without forming a moisture proof seal at said top.

55. (previously presented) The container of claim 13 wherein said inner container is in partial contact with said outer container, but is not adhered thereto.

56. (previously presented) The container of claim 13 wherein said top provides the sole access to the interior of said inner container for both filling and emptying contents therein.

57. (previously presented) The container of claim 13 wherein none of said flaps that form said top are adhered to one another and said top completely covers the interior of said inner container.

58. (previously presented) The container of claim 13 wherein said height of said first and second sidewalls and said front and back walls is selectively adjustable to any height above said bottom of said inner container and the top of the outer container.

59. (previously presented) The container of claim 13 wherein said outer container is moveable between an open and a sealed closed position, and said top is moveable from a first loading position that permits access to the interior to a second closed position wherein access to

said interior is completely covered but said top does not provide an airtight seal when said outer container is closed.

60. (Withdrawn) A method of packaging perishable goods, comprising the steps of:

providing a sealable outer container and an inner container comprising a bottom, collapsible opposing first and second sidewalls and front and back walls, each constructed of a flexible insulating material having one metalized surface, said first and second sidewalls and said front and back walls forming an integral moisture proof seal with said bottom and each other; an integral first foldable side flap extending above said first sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length; an integral foldable second side flap extending above said second sidewall and having opposing edges, said flap comprising a top edge that is substantially straight along its entire length; an integral foldable front flap extending above said front end and integral with the edges of both said first and second side flaps, said front flap comprising a top edge that is substantially straight along its entire length; an integral foldable back flap extending above said back end and integral with the edges of both said first and second side flaps, said back flap further comprising a top edge that is substantially straight along its entire length;

inserting said inner container into said outer container such that a portion of said inner container is in contact with but not adhered to said outer container;

depositing perishable goods into at least a portion of the interior of said inner container, and;

forming a non-airtight container top that completely covers said perishable goods deposited in said depositing step by folding said first and second side flaps and said front and back flaps;

and sealing said outer container around said inner container.

61. (Withdrawn) The method of claim 60 further comprising the step of selectively adjusting the height of said first and second sidewalls and said front and back walls to a point where said top is in close proximity to said contents regardless of the level of said contents in said inner container .

62. (Withdrawn) The method of claim 60 wherein at least a portion of said contents are in contact with said top.

63. (previously presented) The container of claim 13, wherein said outer container has sidewalls between its top and bottom and said height of said first and second sidewalls and said front and back walls is selectively adjustable between a first position wherein said height of said sidewalls and walls of said inner container is equal to said height of sidewalls of said outer container and a second position wherein said height of said sidewalls and walls of said inner container is less than the height of said sidewalls of said outer container.

64. (Once Amended) The container of claim 13, wherein said outer container is movable between an open and a sealed closed position and said height of said sidewalls and walls of said inner container are adjustable between a first position wherein the outer surface of both said top and said bottom of said inner container are in contact with the inner surface of said outer container and a second position wherein only one of the outer surfaces of said top and said bottom of said inner container are in contact with said inner surface of said outer container and a portion of the inner surfaces of said top, bottom, said sidewalls and said walls is partially in contact with said perishable goods when said outer container is in a sealed closed position.

65. (previously presented) The container of claim 64, wherein access to said interior of said inner container is completely covered but said top does not provide an airtight seal when said outer container is closed.

66. (previously presented) The container of claim 63, wherein said inner container is in partial contact with said outer container but is not adhered thereto.

67. (previously presented) The container of claim 64 wherein said inner container is in partial contact with said outer container but is not adhered thereto.